

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

John C. Harvey and James W. Cuddihy

Serial No. 08/487,526

Filed: June 7, 1995

For: **SIGNAL PROCESSING APPARATUS
AND METHODS**



Examiner: Luther, W.

Group Art Unit: 2731

Atty Dkt. 5634.0355

Submission Under 37 C.F.R. § 1.129(a)

BOX: AFTER FINAL

Assistant Commissioner of Patents
and Trademarks
Washington, D.C. 20231

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APR 15 98
GROUP 2600

Sir:

Applicants request that the finality of the final rejection dated January 8, 1998 be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a). Our Check No. 157269 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicants therefore respectfully request that the amendment and request for reconsideration filed on March 9, 1998 be entered.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees

required therefore are hereby authorized to be charged to our Deposit Account No.

08-3038.

Date: April 8, 1998

HOWREY & SIMON

1299 Pennsylvania Avenue, NW

Washington, D.C. 20004-2402

Tel: (202) 783-0800

Respectfully submitted,

Thomas J. Scott, Jr.

Thomas J. Scott, Jr.

Reg. No. 27,836

Attorney for Applicants

AF/GAU 2731
F

Serial No. 08/487,526
Docket No. 5634.0355

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In re Application of:

3-3-98

John C. Harvey and James W. Cuddihy:

Group Art Unit: 2731

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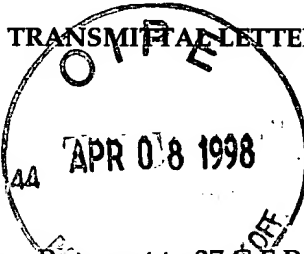
Atty Dkt: 05634.0355

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BOX: AFTER FINAL

Assistant Commissioner of Patents
Washington, D.C. 20231

TRANSMITTAL LETTER



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GROUP 2600

- [] Amendment
[] Request for Extension of Time Pursuant to 37 C.F.R. § 1.136(a) (in duplicate)
[X] Submission after Final Rejection under 37 C.F.R. § 1.129(a)
[X] An additional filing fee is required, and is calculated as shown below:

	(Col 1)		(Col 2)	(Col 3)		
	Claims Remaining After Amendment		Highest No. Previously Paid for	Present Extra	Rate	Additional Fee
Total	*	Minus	**	=0	x \$ 11.00	\$ 0.00
Indep.	*	Minus	***	=0	x \$ 41.00	\$ 0.00
First Presentation of Mult. Dep. Claim					x \$ 135.00	\$ 0.00
Total Additional Filing Fee for Submission after Final Rejection § 1.129 (a)						\$ 790.00
Total Fee Enclosed						\$ 790.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space. "The Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- [X] Howrey & Simon check no. 157269 in the amount of \$790.00 is enclosed.
[X] The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 08-3038. This sheet is submitted in triplicate.
[x] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
[x] Any patent application processing fees under 37 CFR 1.17.

04/14/1998 RMAGAT 00000006 08487526
01 FC:146 790.00 DP

Date: April 8, 1998
HOWREY & SIMON
1299 Pennsylvania Avenue, NW
Washington, D.C. 20004, Tel: (202) 783-0800

Respectfully submitted,

Thomas J. Scott, Jr.
Thomas J. Scott, Jr.
Registration No. 27,836
Attorney for Applicants